NON-CIRCULATING
MILL VALLEY HISTORY RM

RAILROADS-MILL VALLEY
1904

PLAINTIFF'S EXHIBIT 2
OFFERED IN EVIDENCE
ACTION No. 15738

1904.

9 1/10 95 12-30-46

Tamalpais Land and Water Company

to

North Shore Railroad Company

This indenture made and entered into this 1st day of August, in the year of our Lord 1904, between Tamalpais Land and Water Company, a corporation duly incorporated and organized under the laws of the State of California, the party of the first part, and North Shore Railroad Company, a corporation, duly organized and incorporated under the laws of the State of California, the party of the second part. Witnesseth: That the said party of the first part in consideration of the covenants on the part of the said party of the second part hereinafter contained, subject to the reservations and provisos and upon the conditions hereinafter mentioned and expressed, and for other good and sufficient considerations has granted, and by these presents does grant, unto the said party of the second part and to its successors and assigns, but upon and subject to the reservations and conditions and for the uses and purposes hereinafter designated and stipulated, and none other, and while devoted to those uses and purposes, all those certain lots, pieces or parcels of land situate, lying and being in the town of Mill Valley, County of Marin, State of California, being a portion of Lot D of the Sausalito or Richardson Rancho, and known and described as follows, to wit: First: Beginning at a point on the southwesterly line of the 30-ft right of way granted by the Tamalpais Land and Water Company to the North Pacific Coast Railroad Company by deed dated October 23,1893, of record in Book 29 of Deeds at page 289 et seq., Marin County Records, being that piece or parcel of land secondaly described by said deed said point being South 35 degrees 34 minutes East 20.83 feet distant from the Southwest corner of Depot Reservation granted by the Tamalpais Land and Water Company to the North Pacific Coast Railroad Company by deed dated October 23, 1893 and of record in Book 29 of Deeds, page 389 et seq., being that piece or parcel of land firstly described in said deed thence south 21 degrees 34 minutes East 246.47 feet along the Easterly line of Miller Avenue; thence south 83 degrees 21 minutes East 113.40 feet to a point in the Arroyo Corte Madera del Presidio; thence Northerly 6 degrees 39 minutes East 27.2 feet to the Southeast corner of the said 30-ft right of way; thence in a Northwesterly direction along said right of way on a curve with a radius of 425.3 feet, a distance of 191.2 feet; thence North 35 degrees 34 minutes West 11.4 feet to the place of beginning. Second- Beginning at the granits monument marking the Southeast corner of the tract of land granted by the Tamalpais Land and Water Company to the North Pacific Coast Railroad Company by deed dated October 23,1893 and recorded in Book 29 of Deeds, page 289 et seq. Marin County Records; being that piece or parcel of land first described in said deed; running thence along the South line of said tract so granted by the Tamalpais Land and Water Company, south 51 degrees 56 minutes West 18.1 feet to the Northeasterly line of the 30-ft right of way granted by the Tamalpais Land and Water Company to the North Pacific Coast Railroad Company by deed dated October 23,1893 and recorded in Book 29 of Deeds, page 389 et seq: Marin County Records; being that piece or parcel of land secondly described in said deed, Marin County Records; thence southerly along said Northeasterly line of said 30-ft right of way to the center of the Arroyo Corte Madera del Presidio; thence by center line of said Arroyo North 12 degrees 18 minutes East 50.18 feet; North 71 degrees West 105 feet; North 22 degrees West 39 feet; North 20 degrees East 79 feet; north 74 degrees west 77 feet; North 28 degrees 30 minutes West 34 feet to the south line of Lot 41 as delineated on the map entitled "Tamalpais Land and Water Company's Map No 1" of record in the office of the County Recorder of Marin County; thence south 72 degrees 0 minutes West 30 feet along the southerly line of said Lot 41 to the place of beginning. THE SOLE USES AND PURPOSES FOR which the said parcels of land are hereby conveyed are as follows, to wit: For the maintenance and operation of a railroad upon and over said lands, in conjunction with the main line of said party of the second part, and for the construction and maintenance of a freight shed or sheds or other terminal facilities for railroad purposes. EXCEPTING AND RESERVING, however, from this conveyance and from the effect and operation

thereof, all the waters of any creek or stream flowing through, over or past said land, and the right to have, take divert and appropriate to the use of the party of the first part and its assigns, all the waters now flowing or that may hereafter flow in such creek or stream. TO HAVE AND TO HOLD, all and singular the above-granted premises, together with the appurtenances, unto the said party of the second part, its successors and assigns, for the uses and purposes aforesaid and none other, and for so long as a railroad shall be maintained and operated thereon by the said party of the second part, its successors and assigns, and no longer. AND THE SAID PARTY OF THE FIRST PART, for and in consideration of the covenants on the part of the said party of the second part hereinafter contained, further agrees with the said party of the second part, its successors and assigns, to forthwith grant and dedicate for the use of the public as a public street, all that certain piece or parcel of land hereinafter described. AND THE SAID PARTY OF THE SECOND PART, its successors and assigns, for and in consideration of the agreements and covenants of said party of the first part hereinbefore contained, has granted, and by these presents does grant, remise, release and reconvey to the said party of the first part, all its right, title and interest in and to that certain piece or parcel of land hereinafter described, being a portion of that certain piece or parcel of land conveyed to the North Pacific Coast Railroad Company by deed dated October 23,1893, from the Tamalpais Land and Water Company, and recorded in Book 29 of Deeds, page 389 et seq., Marin County Records; said parcel of land so reconveyed being situated in the Town of Mill Valley, County of Marin State of California, and being a portion of Lot "D" of the Sausalito or Richardson Rancho, more particularly known and described as follows, to-wit: COMMENCING at the North west corner of Lot 41, and delineated on the map entitled"Tamalpais Land and Water Company's Map No 1" of record in the office of the County Recorder of the County of Marin running thence along the southerly line of Blythdale Avenue south 78 degrees 30 minutes West 150 feet to the point of intersection of said southerly line of Blythdale Avenue with the easterly line of Miller Avenue, as said avenues are laid down on the said map; thence South 11 degrees 30 minutes East 93.78 feet; thence North 50 degrees 28 minutes East 171.81 feet to the Easterly line of the North ShoreRailroad Depot Reservation; thence along said easterly line North 13.14 feet to the place of beginning. SAVING AND RESERVING the right to maintain and operate switch and railroad tracks at present existing and running through and over said land last described. IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its Vice President and Secreyary and its corporate seal to be hereunto affixed, in pursuance of a resolution of its Board of Directors passed------- 1904 at a meeting of its Board of Directors duly and regularly called; and said party of the secondpart has caused these presents to be signed by its President and Secretary, and its corporate seal to be hereunto affixed in pursuance of a resolution of its Board of Directors passed July 25th 1904 at a meeting of its Board of Directors duly and regularly called.

(CORPORATE SEAL) Tamalpais Land andWater Company
By Harry East Miller, Vice President

Attest Beverly Letcher Secretary

(CORPORATE SEAL) North Shore Railroad Company
By Jno Martin President

Attest F.B.Latham Secretary

State of California)
City and County of San Francisco.) ss

On this 9th day of August in the year one thousand nine hundred and four, before me, Frank L Owen, a Notary Public in and for the said City and County, residing therein, duly commissioned and sworn, personally appeared Harry East Miller and Beverly Letcher known to me to be the Vice-President and Secretary respectively of the Tamalpais Land and Water Co. the corporation described in, and that executed the within and annexed Instrument and acknowledged to me that such Corporation executed the same. In Witness Whereof, I have hereuntoset my hand and affixed my official seal, at my office in the City and County of San Francisco, the day and year in this certificate first above written.

SEAL Frank L Owen, Notary Public in and for the City and County of San Francisco, State of California.

State of California)
City and County of San Francisco)ss

On this 12th day of August, in the year of our Lord one thousand nine hundred and four, before me, Harry J Lask a Notary Public in and for the City and County of San Francisco, residing therein duly commissioned and sworn, personally appeared A.W.Foster and F.B.Latham, known to me to be the President and Secretary respectively of the North Shore Railroad Company, the corporation described in and that executed the within and annexed instrument, and acknowledged to me that such corporation executed the same. In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office in the City and County of SanFrancisco, on the day and year in this certificate first above written.

(SEAL) Harry J Lask
Notary Public in and for the City and County of San Francisco, State of California

State of California
County of Marin } ss.

I, F. D. BURROWS, County Recorder in and for said County and State, hereby certify that the above and foregoing as hereunto annexed, is a full, true and correct copy of an Instrument of Record in my office, as the same appears

recorded in Liber ...88..... of ...Deeds..... Page ..211.....
of Marin County Records, and that the copy has been compared by me with the original, and is a correct transcript therefrom and of the whole of said original record.

Witness my hand and Official Seal this ..20th.... day of .....December..... A. D. 1944.

F. D. BURROWS,
County Recorder

By Grace Fallon .....
Deputy Recorder

State of California)
City and County of San Francisco)ss

On this 12th day of August, inthe year of our Lord one thousand nine hundred and four, before me, Harry J Lask a Notary Public in and for the City and County of San Francisco, residing therein duly commissioned andsworn, personally appeared A.W.Foster and F.B.Latham, known to me to be the President and Secretary respectively of the North Shore Railroad Company, the corporation described in and that executed the within and annexed instrument, and acknowledged to me that such corporation executed the same. In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office in the City and County of SanFrancisco, on the day and year in this certificate first above written.

(SEAL) Harry J Lask
Notary Public in and for the City and County of San Francisco, State of California.

Filed for record and recorded at the request of Wells, Fargo & Co Aug 13, A.D.1904 at 50 mins past 1 o'clock P.M. in liber 88 of Deeds page 211 Marin County Records E J Connell, Recorder